

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 14, 2004 PLANNING COMMISSION MEETING

Final Action

P.A.S.: Special Permit #04013

PROPOSAL: Domiciliary care facility with 148 units for 158 occupants.

LOCATION: Approximately 33rd Street and Yankee Hill Road.

LAND AREA: 13.34 acres, more or less.

CONCLUSION: This multiple-family use is located near the intersection of two major streets, and is designed such that it should have minimal impact upon the residential character of the nearby residential neighborhood.

<u>RECOMMENDATION:</u>	Conditional Approval
-------------------------------	----------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Outlot F, Pine Lake Heights South 4th Addition, located in Section 19 T9N R7E, Lancaster County, Nebraska.

EXISTING ZONING: R-3 Residential

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North:	Vacant (Prelim Plat shows as church site)	R-3 Residential
South:	Agriculture	AG Agricultural
East:	Single-family homes, Vacant	R-3 and 4 Residential
West:	Single-family homes	R-4 Residential

HISTORY:

Sep 2002 Final Plat #02008 Pine Lake Heights approved, changed the designation of this lot to Outlot F.

Apr 2002 Preliminary Plat #00029 Pine Lake Heights South 4th approved. This lot shown as Lot 1, Block 13, and labeled for future church.

- Apr 2002 Change of Zone #3298 approved changing the zoning from R-3 to R-4, B-2 and O-3 for those lands within the limits of the preliminary plat of Pine Lake Heights South 4th.
- Apr 2002 Change of Zone #3297 approved changing the zoning from R-4, B-2, and O-3 to R-3 for all land within the limits of the preliminary plat of Pine Lake Heights South 4th.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Land Use Plan shows this property as Urban Residential (F 25)

Urban Residential: Multi-family and single-family residential uses in areas with varying densities ranging from more than fifteen dwellings per acre to less than one dwelling per acre. (F 27)

Overall Population Growth Projections indicate a significant demographic trend is the continuing growth in the area's senior population. Issues relating to an aging population will increase in importance as more and more individuals reach the age of 65 and above. Over the next twenty five years, this segment of the community will similarly grow in number and as a percent of the overall population base. This will place greater emphasis on the unique transportation, housing, economic, and recreational needs of this expanding demographic segment. (F 6)

A safe residential dwelling should be available for each citizen: the efficiency apartment and the country estate, the small single family "starter" home and the large downtown apartment suite, the most affordable and the most expensive dwelling unit, completely independent living and living within the care of others. Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (F 6)

Create housing opportunities for residents with special needs throughout the city that are compatible with residential neighborhoods. (F 66)

Plan for sufficient and varied choices for the location of elderly housing. Encourage elderly housing to locate in areas designated for mixed-uses where the elderly housing would serve as a transitional use to less intensive residential development. (F 72)

There are notable differences between elderly housing and traditional multiple-family residential developments. Typically, elderly housing will have fewer occupants per unit and will generate less traffic than housing built for the general marketplace. Thus, a location that is deemed appropriate for elderly housing may not be deemed appropriate for other types of higher-density housing such as multiple-family or town homes. (F 72)

TRAFFIC ANALYSIS:

The Comprehensive Plan identifies 27th Street and Yankee Hill Road at this location as Minor Arterial currently, and Principal Arterial in the future. (E 49, F 103) Both of these streets are identified for future improvements to a four lane plus turn lane cross section. The Comprehensive Plan states improving 27th Street from San Mateo Lane to Yankee Hill Road is a "committed" project, while improving Yankee Hill Road from South 14th Street to Highway 2 is a "proposed" project. (F 109, 110) The current CIP identifies the 27th Street improvements

as project 62. The CIP identifies the Yankee Hill Road improvements as several projects, with project 38 being the portion from South 27th Street to South 40th Street. Neither of these projects are within the funding cutoff, which includes only the first 32 projects. (CIP pages 98-115)

The proposed driveway takes access to a portion of South 33rd Street that has not been dedicated at this time. The east half of the 66' right-of-way is currently owned by another party. If the driveway is to remain at the current proposed location, the entire 66' right-of-way extension of South 33rd Street to Yankee Hill Road must be dedicated to the City.

PUBLIC SERVICE:

The closest public transportation connection is at 27th Street and Pine Lake Road, which provides weekday and Saturday service. The closest fire station for emergency services is Station 4, located at 27th Street and Old Cheney Road.

ENVIRONMENTAL CONCERNS:

The proposed site grading shows drainage flowing to the west, with no storm sewer to convey the water. There is no storm sewer to the west to handle the additional runoff. The original preliminary plat showed this area draining to the northwest to a 30" storm sewer.

ANALYSIS:

1. This is a proposal to permit a one-story domiciliary care facility with 148 units, some of which will be provided for independent living and some for assisted living. There will be a total of 158 residents.
2. A special permit for a domiciliary care facility may be issued pursuant to LMC §27.63.530. The permit conditions include:
 - (a) **Parking shall be in conformance with Section 27.67.040(d)(13) unless modified under the condition of the special permit, provided that no parking shall be permitted in the required front or side yards.**

The parking requirement is one space for every four residents based on maximum occupancy allowed by the lot area plus two spaces for every three employees on the largest shift. Maximum occupancy allowed by lot area is 290 residents, resulting in 73 parking stalls. There will be 20 employees on the largest shift, resulting in 14 additional stalls, for a total of 87 required parking stalls. The proposed drawings show 154 parking stalls.

- (b) **Domiciliary care facilities shall be licensed to comply with all state requirements for domiciliaries and/or residential care facilities.**

This is a condition of approval.

- (c) The total number of client or employee residents shall not exceed the lot area ratio below except as provided for in this section, and provided that all facilities may have up to four individuals sixty years of age or older and one family acting as the residential caretaker:
 - (iii) R-3 zoning district: One person per 2,000 square feet of lot area.

This lot has an area of 13.34 acres, which would allow 290 residents. Applicant has identified 148 dwelling units, 10 of which are 2 bedroom, resulting in 158 total residents.

- (d) Depending on the character of the development and impacts on adjacent land uses, the City Council may grant an increase in the number of residents allowed in [c] above where the site plan and building plans comply with the barrier-free standards in the design standards as adopted by the City Council. Such increase shall not exceed fifty percent.

Applicant has not requested an increase in the number of residents.

- (e) The height and yard requirements of the district in which the proposed use is located shall apply provided, however, that if the area of the lot is one acre or more, the height requirement of the district may be adjusted to provide flexibility in the design of buildings and to provide compatibility with surrounding uses except that solar access to adjacent buildings or potential buildings on land under other ownership shall not be reduced by such adjustment.

This site exceeds one acre, however, Applicant has not requested to waive any height or yard requirements. The required setback is provided, as well as an additional 25' separation between the setback line and the building envelope.

3. The proposed site grading shows a drainage swale near the southwest end of the lot draining to a recently approved townhome development. There is no storm sewer system in the townhome development to handle the additional storm water. The original approved Pine Lake Heights South 4th preliminary plat showed virtually this entire lot draining to a 30" storm sewer at the northwest corner of the lot. The storm water from this site needs to be directed via properly designed open channels or a storm sewer pipe system to the existing 30" storm sewer stub at the northwest corner of the lot.
4. The grading plan needs to show the correct grading for the Yankee Hill Road widening project to ensure the proposed site grading will match future right-of-way grades.
5. The proposed project is currently located on an outlot. A final plat must be approved creating a buildable lot for this project. The final plat must include the dedication of 33' of right-of-way in South 33rd Street adjacent to this site extending

south to Yankee Hill Road. Also, the driveway shown is proposed to take access to a portion of South 33rd Street not yet dedicated or constructed. The east half of the future right-of-way is located on another outlot, apparently owned by another party. If the driveway is to remain at its proposed location, the entire 66' right-of-way will need to be dedicated and paved, and any public water mains, sanitary sewers, and storm sewers installed, all the way to Yankee Hill Road.

6. Existing utilities (water mains, sanitary sewers, and storm sewers) located in the abutting streets must be shown on the plan. The proposed utilities (water mains, sanitary sewers, and storm sewers) in the extension of South 33rd Street must also be shown.
7. LES has requested easements to be shown on the plan.
8. Lincoln Fire and Rescue has no objections to the site plan as presented. However, they do raise a concern over the distance to a fire station, and point out the response time for fire and emergency services will be longer than is typical. Also, their response time for medical services will be greatly increased. The Fire Department would like to construct a new station to the east along 56th Street within the CIP time period, but it will likely take a bond referendum.
9. Lincoln Parks and Recreation requests an outdoor recreation plan in the form of a social gathering space.
10. Although this site was previously identified as a church site, the proposed use continues to be consistent with the character of the area. This proposal is also part of a row of multiple-family proposals that provide a transition from a major street to the single-family neighborhood to the north. While the location of this facility is somewhat removed from the nearest public transportation and shopping facilities, there are currently several plans to develop this section of Yankee Hill Road in various stages of approval.

CONDITIONS:

Site Specific:

1. This approval permits a domiciliary care facility with 148 units for 158 occupants, and a staff of 20 employees on the largest shift.

General:

2. Before receiving building permits:

- 2.1 The permittee shall complete the following instructions and submit 8 copies of the documents and plans to the Planning Department office for review and approval.
 - 2.1.1 Revise the grading plan to direct storm water via properly designed open channels or a storm sewer pipe system to the existing 30' storm sewer stub at the northwest corner of the lot.
 - 2.1.2 Revise the grading plan to show the correct grading for the Yankee Hill Road widening project to ensure the proposed site grading will match future right-of-way grades.
 - 2.1.3 Revise the site plan, in accordance with an approved final plat, to show the dedication of the 33rd Street right-of-way, and location of all public utilities abutting the site. The site plan must show and label South 33rd Street.
 - 2.1.4 Revise the site plan to show an outdoor recreation plan.
 - 2.1.5 Revise the site plan to show LES easements.
- 2.2 A final plat must be approved creating a buildable lot for this project and dedicating the entire 33rd Street right-of-way abutting the lot.
- 2.3 The construction plans comply with the approved plans.
- 2.4 The required easements as shown on the site plan are recorded with the Register of Deeds.
- 2.5 The operation and the premises are to meet appropriate local and state licensing requirements, including compliance with health codes.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying this domiciliary care facility all development and construction is to comply with the approved plans.
 - 3.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.

- 3.3 The permittee is to annually certify that all occupied dwelling units are occupied by individuals meeting the requirements for elderly or retirement housing.
- 3.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 3.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 3.6 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.

Prepared by

Greg Czaplewski, 441.7620, gczaplewski@ci.lincoln.ne.us
Planner

Date: April 2, 2004

Applicant: United Presbyterian Welfare Foundation
Eldon Wiese
1313 Eldon Drive
Lincoln, NE 68510

Owner: Catholic Bishop of Lincoln
3400 Sheridan Boulevard
Lincoln, NE 68502

Contact: Mark Hunzeker
1045 Lincoln Mall, Suite 200
Lincoln, NE 68508
476.7621



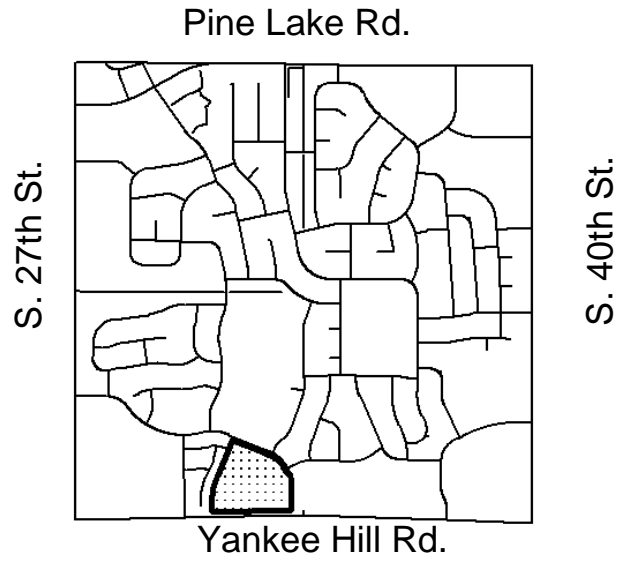
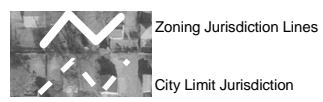
2002 aerial

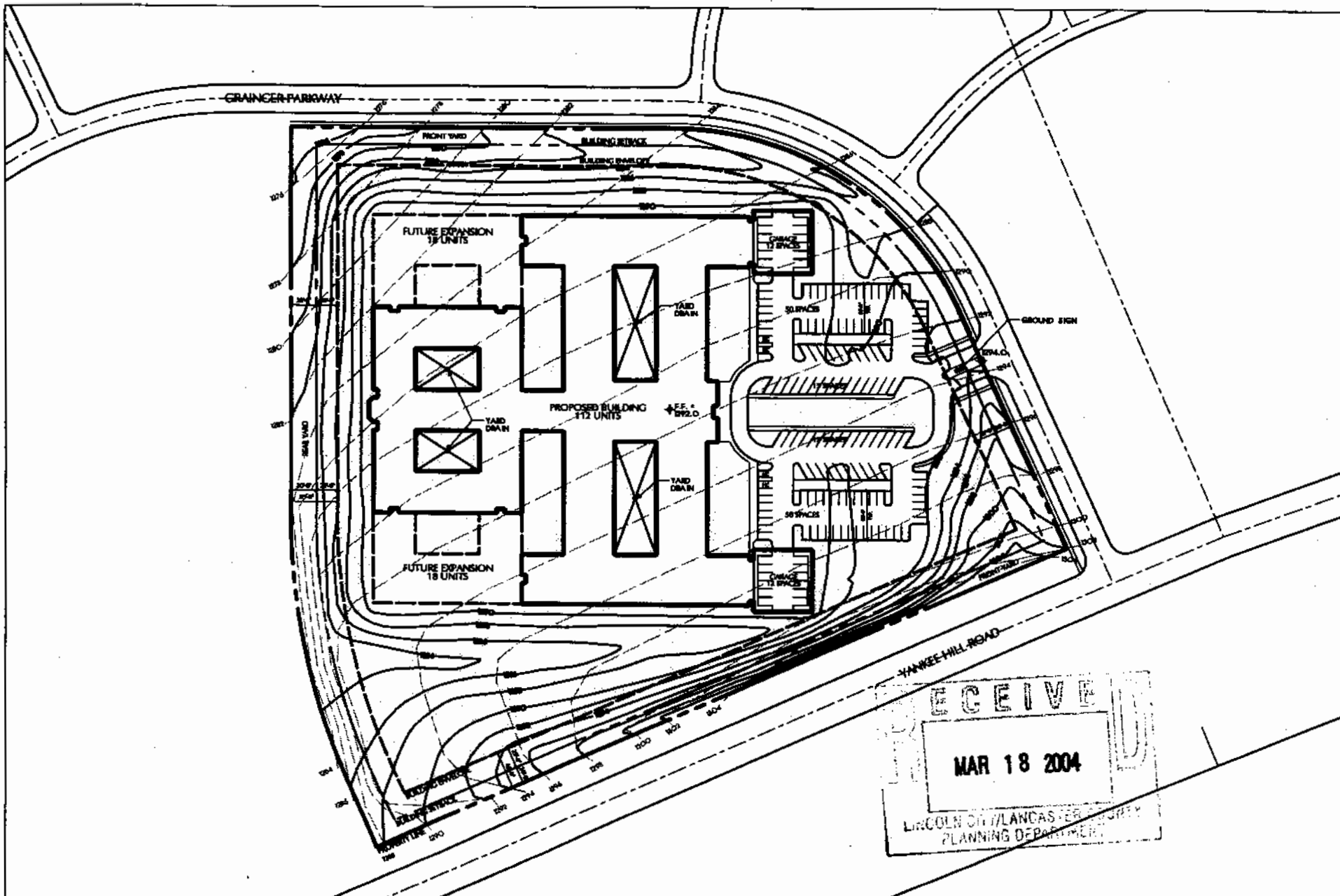
Special Permit #04013 **S. 33rd & Yankee Hill Rd.**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 19 T9N R7E





RECEIVED
MAR 18 2004
LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

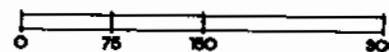
Presbyterian Welfare Foundation Assisted Living Facility

Schematic Site/Grading Plan

LINCOLN, NEBRASKA

BAHR VERMEER HAECKER

SCALE: 1"=80'



PROJECT NO. 03-001
DATE: 03-18-2004
BY: [Signature]